

REMARKS

Claims 1-9, 12, 13, 15-20, 22 and 23 are pending in the application and stand rejected. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

Interview Summary

The undersigned attorney wishes to thank the Examiner for the productive discussion by telephone on October 14, 2009, during which discussion the above amendment was proposed and deliberated as a means of distinguishing the combination of references advanced against claim 1. As noted in the Examiner's summary of the interview, agreement was reached as to such an amendment overcoming the outstanding rejection.

Claim Rejections – 35 USC § 103

Claims 1-9, 12, 13, 15-20, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 2,423,245 to Magnus et al. ("Magnus") in view of U.S. Pat. Pub. No. 2006/0004383 to Floessholzer et al. ("Floessholzer") further in view of U.S. Pat. No. 5,133,722 to Avrahami et al. ("Avrahami").

As discussed during the telephone interview, claim 1 has been amended to recite that the switch is "responsive to the application of the epilator apparatus against skin, such that pressure of the epilator apparatus against the skin activates the switch to activate the drive motor, thereby to drive the take-up reel."

As discussed, the sensor of the Avrahami reference is a tension sensor that is said to sense the tension applied to a hair. As there is no disclosure in any of the cited references of the idea of sensing pressure against skin, and much less the idea of activating a drive motor to drive a take up reel of an adhesive tape in response to such pressure, it is understood that claim 1 as now presented is non-obvious over the combination of cited references.

Independent method claim 16 is also amended, to recite that the drive motor is activated "in response to application of the epilator apparatus against the skin." This is also understood to

distinguish the combined references, as the Avrahami reference cited as disclosing a sensor for activating the drive motor only discloses activating the motor in response to tension on the hairs, not application of the apparatus against the skin. The idea of activating the take up reel in response to mere application against skin, rather than hair plucking tension, is not seen in the combination of applied references.

All of the rejected dependent claims are submitted as allowable at least as depending from a non-obvious base claim.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

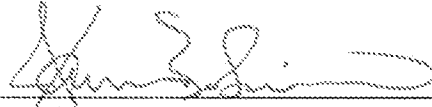
The undersigned attorney welcomes the opportunity to further discuss by telephone any position or issue not fully addressed by the above remarks and amendments.

Applicants are filing herewith their Request for Continued Examination with the appropriate fee and request for a three-month extension of time. No other charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 02894-0750US1.

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Respectfully submitted,



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